

10/540529
JC17 Rec'd PCT/PTO 24 JUN 2005**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application.

WHAT IS CLAIMED IS:

1. (CURRENTLY AMENDED) An exhaust system (1, 41) comprising:
 - an exhaust passage (6) that allows exhaust gas discharged from an internal combustion engine to pass therethrough;
 - a primary exhaust emission control unit (2) including a catalyst (27) to purify the exhaust gas; **and**
 - a first exhaust heat collecting unit (28) including a thermoelectric element (30) that converts thermal energy of the exhaust gas into electric energy, ~~characterized in that~~ the exhaust passage is being divided into a first passage (25) provided with the primary exhaust emission control unit (2) and a second passage (26) provided with the first exhaust heat collecting device (28) including the thermoelectric element (30), **wherein**; **and**

~~the exhaust system further comprising~~ a control member (22j, 22k, 22m, 22n) that is operated to change a flow of the exhaust gas between the first passage (25) and the second passage (26); wherein

an operation of the control member (22j, 22k, 22m, 22n) is controlled based on a temperature in the primary exhaust emission control unit (2);

the control member (22j, 22k, 22m, 22n) is operated such that the exhaust gas flows through the second passage (26) when the temperature in the primary exhaust emission control unit (2) exceeds a predetermined temperature; and
the predetermined temperature is determined based on an activation temperature of the catalyst (27) in the primary exhaust emission control unit (2).

2. (CURRENTLY AMENDED) The exhaust system according to claim 1, further comprising a secondary exhaust emission control unit (3) provided on the exhaust passage (6) where the first passage and the second passage are joined.

3. (CURRENTLY AMENDED) The exhaust system according to claim 2, wherein an operation of the control member (22j, 22k, 22m, 22n) is controlled based on a temperature in the secondary exhaust emission control unit (3).

4. (CURRENTLY AMENDED) The exhaust system according to claim 3, wherein the control member (22j, 22k, 22m, 22n) is operated such that the exhaust gas flows through the second passage (26) when the temperature in the secondary exhaust emission control unit (3) exceeds a predetermined temperature.

5. (CURRENTLY AMENDED) The exhaust system according to claim 4, wherein the predetermined temperature is determined based on an activation temperature of the catalyst in the secondary exhaust emission control unit.

6. (CURRENTLY AMENDED) The exhaust system according to claim 2, further comprising a second exhaust heat collecting unit ~~(42)~~ including a thermoelectric element downstream of the secondary exhaust emission control unit ~~(3)~~.

7. (CURRENTLY AMENDED) The exhaust system according to claim 1 or 2, wherein:

the first passage ~~(25)~~ and the second passage ~~(26)~~ are combined into a single structure;

the first passage ~~(25)~~ is provided in a center of the structure; and

the second passage ~~(26)~~ is provided on an outer periphery of the first passage ~~(25)~~.

8. (CURRENTLY AMENDED) The exhaust system according to claim 1 or 2, wherein:

the second passage ~~(26)~~ includes a heat exchange member that transfers heat of the exhaust gas to the exhaust heat collecting device; and

the exhaust heat collecting device is provided with a catalyst for purifying the exhaust gas.

9. (CURRENTLY AMENDED) The exhaust system according to claim 8, wherein the catalyst ~~(27)~~ is carried on the heat exchange member ~~(29)~~.

10. (CURRENTLY AMENDED) The exhaust system according to claim 7, wherein the structure in which the first passage ~~(25)~~ and the second passage ~~(26)~~ are combined is placed in the vicinity of an exhaust manifold ~~(EM)~~ in the internal combustion engine.

11. (CURRENTLY AMENDED) The exhaust system according to ~~any one of~~ claims 1 ~~to 4~~, wherein the control member ~~(22j, 22k, 22m, 22n)~~ serves to change each flow rate of the exhaust gas flowing into the first passage ~~(25)~~ and the second passage ~~(26)~~.

12. (CURRENTLY AMENDED) The exhaust system according to claim 11, wherein the control member comprises ~~(22j, 22k, 22m, 22n)~~ a valve ~~(22m)~~ that is operated to close and open one of the first passage ~~(25)~~ and the second passage ~~(26)~~ at a predetermined degree.